ACADIA.020A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant

Andersson, et al.

Appl. No.

10/601,070

Filed

: June 20, 2003

For

N-SUBSTITUTED PIPERIDINE

DERIVATIVES AS SEROTONIN

RECEPTOR AGENTS

Examiner

Aulakh, C.

Group Art Unit

1625

DEMARK OFFICE PETITIONS FAX

I hereby certify that this correspondence and all marked attachments, are being transmitted via facsimile to the USPTO Office of Petitions Fax No. (571) 273-0025 on the date shown below:

May 24, 2006

(Date)

Total number of pages including this sheet: 2

Daniel Hart, Reg. No. 40,637

PETITION FOR WITHDRAWAL FROM ISSUE UNDER RULE 37 C.F.R. 1.313

Mail Stop Office of Petitions

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby petition the Patent and Trademark Office to withdraw the above-captioned application from issue. As required by 37 C.F.R. § 1.313(c)(2), a request for continued examination (RCE) in compliance with 37 C.F.R. § 1.114 is being mailed concurrently with the fax filing of this Petition. The RCE is being filed to allow for the consideration of an Information Disclosure Statement which is also being mailed concurrently with the fax filing of this Petition. Additionally, please bill Deposit Account No. 11-1410 to satisfy the fee set forth in 37 C.F.R. § 1.17(h).

The issue fee was paid in a communication filed by Applicants on October 11, 2005. Accordingly, prompt consideration of this petition in time to permit the withdrawal of the application prior to its issuance is respectfully requested.

06/09/2006 CKHLOK 00000006 111410 10601070

01 FC:1464 130.00 DA

Appl. No. Filed

10/601,070

:

June 20, 2003

If any issues arise during consideration of this petition, the Examiner is invited to contact the undersigned representative at the correspondence address listed below.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: May 24, 2006

By:

Daniel Hart

Registration No. 40,637 Attorney of Record Customer No. 20,995

(619) 235-8550

ACADÍA 020A

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Group Art Unit

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Alexandria, VA 22313-1450

Commissioner for Patents

1625

CERTIFICATE OF FAX TRANSMISSION PTO OFFICE OF PETITIONS FAX

I hereby certify that this correspondence and all marked attachments, are being transmitted via facsimile to the USPTO Office of Petitions Fax No. (571) 273-0025 on the date shown below:

May 25, 2006 (Date)

Total number of pages including this sheet: 14

Daniel Hart, Reg. No. 40,637

LETTER

FAX RECEIVED

MAY 2 5 2006

OFFICE OF PETITIONS

Dear Sir:

P.O. Box 1450

Pursuant to our discussion with Sherry Brinkley, attached please find copies of the Request for Continued Examination with a copy of the Petition for Withdrawal from Issue, Information Disclosure Statement, PTO/SB/08 Equivalent form, and postcard and check which were submitted on May 24, 2006 in the above-identified application.

If any issues arise during consideration of this petition, please contact the undersigned representative at the correspondence address or telephone number listed below.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: May 25, 2006

By:

Daniel Hart

Registration No. 40,637

Attorney of Record Customer No. 20,995

(619) 235-8550

2629153:dmb - 052506

Docket No.:

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ACADIA.020A

May 24, 2006 Page 1 of 2

Please Direct All Correspondence to Customer Number 20995

REQUEST FOR CONTINUED EXAMINATION

Applicant

Andersson, et al.

App. No

10/601,070

Filed

June 20, 2003

For

N-SUBSTITUTED PIPERIDINE

DERIVATIVES AS SEROTONIN

RECEPTOR AGENTS

Examiner

Charanjit Aulakh

Art Unit

1625

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

May 24, 2006

(Date)

Daniel Hart, Reg. No. 40,637

Mail Stop RCE

Commissioner for Patents P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

This Request for Continued Examination (RCE) is being made as follows:

1. Submission Required under 37 CFR 1.114:

(X) Enclosed:

- (X) A Copy of the Petition for Withdrawal From Issue Under Rule 37 C.F.R. 1.313, which was fax filed on May 24, 2006.
- (X) Information Disclosure Statement and PTO/SB/08 Equivalent in 6 total pages (IDS and PTO/SB/08).
 - (X) Eighty-six (86) references enclosed.
- (X) Return Postcard.

2. <u>Fees</u>:

FEE CALCULATION				
FEE TYPE	FEE CODE	CALCULATION	TOTAL	
RCE Fee	1801 (\$790)		\$790	
		TOTAL FEE DUE	\$790	

Docket No.: App. No.:

ACADIA.020A

10/601,070

May 24, 2006

Page 2 of 2

Please Direct All Correspondence to Customer Number 20995

Payment:

(X) Check in the amount of \$790 to cover the above fees

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Other Enclosures:

Return Postcard. (X)

Dated: May 24, 2006

Respectfully submitted, KNOBBE MARTENS OLSON & BEAR LLP

Daniel Hart

Registration No. 40,637 Attorney of Record Customer No. 20,995

(619) 235-8550

· SIGEN/ - AL

UTILITY/DESIGN PATENT

(RCE)

FAX RECEIVED

MAY 2 5 2006

OFFICE OF PETITIONS

Date of Office Action:

Notice of Appeal Filed:

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Title 10/5ubstituted Piperidine 5	Derivatives as Serotonin Filed: 6/30/03 Perivatives as Serotonin Filed: 6/30/03 QC: Dall Req for Drawing Changes/Corrections sheets of RED-Lined Drawings Affidavit(s)/Declaration(s) \$ 190
•	
THIS WARNING BAR MUST HAVE A GRAY BACKGROUND WHICH FADES TEMPORARILY WHEN WARMED BY TOUG KNOBBE MARTENS OLSON & BEAR SAN DIEGO PATENT ACCOUNT 550 WEST C STREET, SUITE 1200 SAN DIEGO, CA 92101	CH OR FRICTION, ADDITIONAL SECURITY FEATURES ARE LISTED ON THE BACK 026083 DATE 5/24/06 11-24/1210
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MAY 2 5 2006 PATENT

ACADIA.020A

IN THE UNITED STATES PATENT AND TRADEMARKOUTICE PETITIONS

Applicant

Andersson, et al.

Appl. No.

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For

N-SUBSTITUTED PIPERIDINE

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Examiner

Aulakh, C.

Group Art Unit

1625

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May 24, 2006 (Date)

Total number of pages including this sheet: 2

Dartel Hart, Keg. No. 40,637

PETITION FOR WITHDRAWAL FROM ISSUE UNDER RULE 37 C.F.R. 1.313

Mail Stop Office of Petitions

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby petition the Patent and Trademark Office to withdraw the above-captioned application from issue. As required by 37 C.F.R. § 1.313(c)(2), a request for continued examination (RCE) in compliance with 37 C.F.R. § 1.114 is being mailed concurrently with the fax filing of this Petition. The RCE is being filed to allow for the consideration of an Information Disclosure Statement which is also being mailed concurrently with the fax filing of this Petition. Additionally, please bill Deposit Account No. 11-1410 to satisfy the fee set forth in 37 C.F.R. § 1.17(h).

The issue fee was paid in a communication filed by Applicants on October 11, 2005. Accordingly, prompt consideration of this petition in time to permit the withdrawal of the application prior to its issuance is respectfully requested.

Appl. No.

10/601,070

Filed

June 20, 2003

If any issues arise during consideration of this petition, the Examiner is invited to contact the undersigned representative at the correspondence address listed below.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated:

By:

Daniel H

Registration No. 40,637

Attorney of Record

Customer No. 20,995 (619) 235-8550

Docket No.: ACADIA.020A

Customer No. 20,995

INFORMATION DISCLOSURE STATEMENT

Applicant

Andersson, et al.

App. No

10/601,070

Filed

June 20, 2003

For

N-SUBSTITUTED PIPERIDINE

DERIVATIVES AS SEROTONIN

RECEPTOR AGENTS

Examiner

Charanjit Aulakh

Art Unit

1625

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May 24, 2006

(Date)

Daniel Hart, Reg. No. 40,637

FAX RECEIVED

MAY 2 5 2006

OFFICE OF PETITIONS

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing in the above-identified application is a PTO/SB/08 Equivalent listing one hundred five (105) references to be considered by the Examiner. Also enclosed are eighty-six (86) foreign patent references and/or non-patent literature as listed on the Information Disclosure Statement.

With respect to Reference 22, an English translation was not available. However, U.S. Patent No. 5,025,013 (Reference 6) is believed to contain the relevant portions in English.

With respect to Reference 27, an English translation was not available. However, the relevant portion is believed to be the chemical structures shown throughout the article.

With respect to Reference 61, an English translation was not available. However, the relevant portion is believed to be the chemical structures shown throughout the article.

Appl. No.

Filed

: 10/601,070 : June 20, 2003 Docket No. ACADIA.020A Customer No. 20,995

Please place these references in the file of the above-identified patent application in accordance with 37 C.F.R. § 1.97(i).

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: May 24, 2006

Daniel Hart

Registration No. 40,637 Attorney of Record Customer No. 20,995

(619) 235-8550

PTO/SB/08 Equivalent 10/601070 Application No. June 20, 2003 FAX RECEIVED INFORMATION DISCLOSURE Filing Date First Named Inventor Andersson, et al. STATEMENT BY APPLICANT MAY 2 5 2006 1625 Art Unit Charanjit Aulakb ACADIA.020A (Multiple sheets used when necessary) Examiner Attorney Docket No. SHEET 1 OF 6

U.S. PATENT DOCUMENTS						
Examiner Initials	Cite No.	Document Number Number - Kind Code (If known) Example: 1,234,567 B1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	
,	1	3,983,234	09-28-1976	Sayers		
	2	4,138,492	02-06-1979	Noverola, et al.		
 -	3	4,255,432	03-10-1981	Kluge, et al.		
	4	4,353,900	10-12-1982	Clark		
·	5	4,367,232	01-04-1983	Boix-Igleasias, et al.		
	6	5,025,013	06-18-1991	Barreau et al.		
	7	5,461,066	10-24-1995	Gericke		
	8	5,795,894	08-18-1998	Shue, et al.		
	9	5,869,488	02-09-1999	Shue, et al.		
	10	5,877,173	03-02-1999	Olney, et al.		
,	11	5,912,132	06-15-1999	Brann		
	12	5,955,281	09-21-1999	Brann		
	13	6,107,324	08-22-2000	Behan, et al.		
-	14	6,140,509	10-31-2000	Behan, et al.		
	15	6,150,393	11-21-2000	Behan, et al.		
	16	6,911,452	06-28-2005	Schlienger, N.		
	17	2002/0004513 A1	01-10-2002	Andersson, et al.		
	18	2004/0006081	01/08/2004	Burrows, et al.		
	19	2002-0165225 A1	11-07-2002	Hamled, et al.		

			FOREIGN PATE	ENT DOCUMENTS		
Examiner Initials	Cite No.	Foreign Patent Document Country Code-Number-Kind Code Example: JP 1234567 A1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	т
	20	CA 984843	03/02/1976	Wyeth, et al.		
	21	EP 0061333	09-29-1982	Syntex		
	22	EP 0379441	07-25-1990	Rhone-Poulenc Sante		
	23	EP 0005318	11-14-1979	Janssen Pharm.		
	24	EP 0548015	06-23-1993	Borzetta, et al.		
	25	EP 0625507	11-23-1994	Nishin Flour Milling		

Examiner Signature Date Considered

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

T1 - Place a check mark in this area when an English language Translation is attached.

PTO/SB/08 Equivalent

	Application No.	10/601070
INFORMATION DISCLOSURE	Filing Date	June 20, 2003
	First Named Inventor	Andersson, ct al.
STATEMENT BY APPLICANT	Art Unit	1625
(Multiple sheets used when necessary)	Examiner	Charanjit Aulakh
SHEET 2 OF 6	Attorney Docket No.	ACADIA.020A

		F	OREIGN PATE	NT DOCUMENTS		
Examiner Initials	Cite	Foreign Patent Document Country Code-Number-Kind Code Example: JP 1234567 A1	Publication Date MM-DD-YYYY	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	τ¹
-	26	WO 94/27967	12-18-1994	Smithkline		
<i>-</i>	27	HU 157325	03-19-1998	Rudolf, et al.		
	28	WO 97/11940	04-03-1997	Fisher, et al.		
-	29	WO 97/38665	10-23-1997	Merck & Co.,		
•	30	WO 97/38984	10-23-1997	Dupont Merck Pharma.		
-	31	WO 98/17646	10-15-1997	Ріерег		
	32	WO 97/08166	03-06-1997	Schering Corp.		
	33	WO 98/50534	11-12-1998	Smithkline Beecham		
_	34	WO 98/11128	03-19-1998	Rudolf, et al.		
<u> </u>	35	WO 99/52927	10-21-1999	Behan		
	36	WO 00/69810	11-23-2000	Ling, et al.		
	37	WO 00/23076	04-27-2000	Suntory Limited		
	38	WO 00/59497	10-12-2000	Merck & Co.,		
	39	WO 01/44191	06-21-2001	Thurieau, et al.		
	40	WO 00/56335	09-28-2000	Ellman, et al.		L
	41	WO 02/079186	10-10-2002	Hoffman, et al.		
	42	WO 01/87839	09/13/2001	Astrazeneca AB		

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	τ1
	43	Adam, et al. <i>Psychopharmacology.</i> (1989) 99 (2) 219-221	bA
	44	Bakshi, et al., The Journal of Pharmacolog and Experimental Therapeutics, Vol. 271 No. 2 (1994) pp 787-794.	
	45	Barr, et al. The Journal of biological Chemistry, Vol. 272 No. 52, (1997) pp. 32979-32987.	
	45	Bassus, et al. Bur. J. Med. Chem, Chimica Therepetuica, July-August 1974 pp 416-423	
	47	Bennett, et al. Neurology 43, August 1993 pp. 1551-1555.	

Date Considered

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STATEMENT BY APPLICANT	Art Unit	1625
(Multiple sheets used when necessary)	Examiner	Charanjit Aulakh
SHEET 3 OF 6	Attorney Docket No.	ACADIA.020A

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ¹
	48	Bhatia, et al. J. Med Chem., 1996, 39, pp. 3938-3950	
	49	Bibbiani, et al. Neurology 57, 2001 pp. 1829-1834.	
	50	Blakley et al. The Journal of Pharmacology and Experimental Therapeutics (2001) 299(1) 277-289	
	51	Blier et al. J. of Psychiatry & Neuroscience (2001) 26(1) 37-43	
	52	Boullin, D. J. (Ed.). Serotonin in Mental Abnormalities, Biochemical Indicators of Central Serotonin Function, 1978, John Wiley: New York.	
	53	Birkmayer, et al, Journal of Neural Tranmission 35, pp. 93-116 (1974)	_
	54	Butcher, et al. Letters to the Editor, J. Pharm Pharmac (1970) 22, pp. 313-316	
	55	Caroon, et al. J. Med. Chem. (1981) 24, 1320-1326	
	56	Clark, et al. <i>J. Med. Chem.</i> Vol. 26, pp. 855-861 (1983)	
	57	DeClerck, et al. Current Therapeutic Research, (1987) 41 4 427:432	
	58	Delecluse, et al. Movement Disorders, Vol. 13, No. 5 1998 pp. 846-847	
	59	Durif, et al. Neurology 48 1997 pp. 658-662	
	60	Eichelbaum, et al. Clinical and Experimental Pharmacology and Physiology (1996) 23 pp, 983-985.	
	61	Ermakov et. al. Use of Mass spectrometry in Structural and stereochemical studies (1981)	
	62	Everett, et al. <i>Science</i> Vol. 168 May 1970 pp. 849-850	
	63	Factor, et al. Movement Disorders Vol 7 No. 2 1992 pp. 125-131	
	64	Factor, et al. Movement Disorders Vol 16 No. 1 2001 pp. 135-139.	
	65	Fisera, et al. Monatshefte Fur Chemie 125 (1994) pp. 909-919	
	66	Friedman, Movement Disorders Vol 9 No. 3 1994 pp. 321-324.	

Examiner Signature Date Considered

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	Art Unit	1625
(Multiple sheets used when necessary)	Examiner	Charanjit Aulakh
SHEET 4 OF 6	Attorney Docket No.	ACADIA.020A

include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue	
number(s), publisher, city and/or country where published.	۲1
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Nettzer, et al. Neuropsychopharmacology (1995) 12, 39-45	
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Examiner Signature

Date Considered

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NON PATENT LITERATURE DOCUMENTS				
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	86	Meng, et al. Tetrahedron, vol 47, No. 32 pp. 6251-6251, (1991)		
	87	Miyata et al. J. of Cardiovascular Pharmacology (2000) 35(2) 294-301	· · · · · · · · · · · · · · · · · · ·	
	88	Mullen, et al. J. Med. Chem (2000), vol 43, pp. 4045-4050.		
	89	Ng, et al. Science, Vol. 170, (1970) pp. 76-77		
	90	Nordstrom, et al. Psychopharmacology, (1993) vol. 110, pp. 365-367		
	91	Pace, et al. <i>Proc. Natl. Acad. Sci</i> , Vol 88, (1991) pp. 7031-7035.		
	92	Paiva, et al. Psychopharmacology (Berl) 1988, 96 (3) 395-9		
	93	Sadzot, et al. Psychopharmacology, (1989) vol. 98 pp. 495-499.		
	94	Sharpley, et al. Neuropharmacology (1994), 33, (3-4), 467-71.		
	95	Schins et al. Psychosomatic Medicine (2003) 65:729-737		
	96	Smith, et al. J. Med. Chem. (1995), vol 38, pp. 3772-3779.		
	97	The Parkinson Study Group. 1999. Low-Dose Clozapine for the Treatment for Dug-Induced Psychosis in Parkinson's Disease, vol. 340(10):757-763.		
	98	The French Study Group. 1999. Clozapine in Drug-Induced Psychosis in Parkinson's Disease, The Lancet, 353:2041-2042.		
	99	Tsukamoto, et al. Chem. Pharm Bull. 43 (1995) pp. 1523-1529.		
	100	Vallar, et al. <i>Nature,</i> Vol 330, December 1987, pp. 566-568.		
	101	Van Laar, et al. <i>Psychopharmacology</i> (2001), 154(2) 189-97		
	102	Viola, et al. Clin Neurophysio 2002 113(3): 429-34		
	103	Wade, et al. J. Comb. Chem. 2000 2, pp. 266-275		
	104	Yoshida, et al. Clinical Neurophamacology, Vol. 21, No. 1 pp 68-69.		

Examiner Signature

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